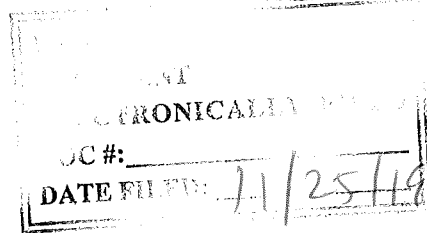


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
LUIS A. HERNANDEZ,
Plaintiff,

v.

W. OSWINSKI, C.O. FAIZON, and K. LASIK,
Defendants.
-----X

ORDER OF DISMISSAL

18 CV 7365 (VB)

On September 9, 2019, the Court issued an Opinion and Order granting defendants' motion to dismiss and granting plaintiff leave to file an amended complaint as to his Eighth Amendment sexual abuse claims against C.O. Faizon and C.O. Lassic.¹ (Doc. #33).

The Court ordered plaintiff to file an amended complaint by November 7, 2019. The Court warned plaintiff that if plaintiff failed to do so, the Court would deem plaintiff to have abandoned the case and would direct the Clerk to enter judgment in defendants' favor and close the case.

To date, plaintiff has failed to file an amended complaint or seek an extension of time to do so. As the Court has already dismissed all of plaintiffs' claims, the Court will direct the Clerk to enter judgment in defendants' favor.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

The Clerk is directed to enter judgment in defendants' favor and close this case. The Clerk shall also mail a copy of this Order to plaintiff at the address on the docket.

Dated: November 25, 2019
White Plains, NY

SO ORDERED.

Vincent L. Briccetti
United States District Judge

¹ C.O. Lassic was incorrectly sued as "K. Lasik."